

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

INTELLECTUAL VENTURES I LLC and
INTELLECTUAL VENTURES II LLC,

Plaintiffs,

v.

VOLVO CAR CORPORATION,
VOLVO CARS OF NORTH AMERICA,
LLC,
and VOLVO CAR USA LLC,

Defendants.

C.A. No. 6:23-cv-00429

JURY TRIAL DEMANDED

**PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION FOR FURTHER EXTENSION OF DEADLINE**

Plaintiffs Intellectual Ventures I LLC and Intellectual Ventures II LLC (collectively, “IV” or “Plaintiffs”) respectfully oppose Defendants Volvo Car Corporation (“VC”), Volvo Cars North America, LLC (“VCNA”), and Volvo Cars USA, LLC (“VCUSA”) (collectively, “Volvo” or “Defendants”) Motion for Further Extension of Deadline to File 12(b) Motion in Response to Plaintiff’s Complaint (the “Complaint”) (Dkt. 1). This deadline has already been extended twice, and the most recent extension was for at least 44 days or 1.5 months. *See* Dkts. 18, 20. There is no good cause to extend it for a third time.

Plaintiffs oppose the requested extension given the extensive extensions already granted to Defendants in good faith. Plaintiffs filed the original complaint on June 8, 2023. (Dkt. 1.) As Defendants acknowledged, Plaintiffs granted Defendants two prior extensions to September 15, 2023 – *over 74 days extension or 2.5 months*. On June 29, 2023, Plaintiffs granted Defendants the first extension of 30 days or 1 month to August 2, 2023. (Dkt. 18.) On July 31, 2023, Plaintiffs

granted Defendants a second extension of an additional 44 days or 1.5 months extension to September 15, 2023. (Dkt. 20.) Defendants now seek an additional 14 days or 2 weeks, through and including September 29, 2023, to file their 12(b) motion and opening brief in support thereof. (Dkt. 25.) But this case has already been delayed multiple times to allow Defendants sufficient time to file their 12(b) motion and answer the Complaint.

Defendants fail to show that an extension is warranted. Defendants' dilatory tactics should not be rewarded, or it will be incentive to continue this pattern. Defendants' continued delay has successfully hindered this case from proceeding closer to a resolution. In this light and in the spirit of moving this case forward, Plaintiffs respectfully request the Court deny Defendants' request for further delay and extension to file their 12(b) motion.

Dated: September 20, 2023

Respectfully submitted,

By: /s/ Jonathan K. Waldrop

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Attorneys for Plaintiffs

**INTELLECTUAL VENTURES I LLC and
INTELLECTUAL VENTURES II LLC**

CERTIFICATE OF CONFERENCE

On September 12, 2023, Defendants corresponded over email requesting a further extension to September 29, 2023. On September 13, 2023, Plaintiffs opposed the request.

/s/Jonathan K. Waldrop
Jonathan K. Waldrop

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system on September 20, 2023.

/s/Jonathan K. Waldrop
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